

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: William J. Curatolo, et al

Serial No.: 09/770,562
Filed January 26, 2001
For: Solid Pharmaceutical Dispersions with
Enhanced Bioavailability

Group Art Unit: 1618

Examiner: B. M. Fubara

Sir:

INFORMATION DISCLOSURE STATEMENT
PURSUANT TO 37 C.F.R. § 1.97 ET SEQ.

Applicant(s) herein make(s) available to the U.S. Patent and Trademark Office a copy of PTO-FB-A820 which lists the references cited by the applicant(s), copies of which are enclosed.

The Examiner is requested to consider carefully the complete text of these references in connection with the examination of the above-identified application in accord with 37 C.F.R. § 1.104(a). It is believed the Examiner will concur with applicant's belief that the subject matter presently claimed is neither anticipated nor rendered obvious by the foregoing references.

It is noted that the references were cited pursuant to one of four oppositions (Opponent 2) filed against Applicants' corresponding European application. A copy of Opponent 2's Opposition Statement has been included and is listed on the accompanying PTO-FB-A820. A copy of all references cited by Opponent 2 has been included and all references are listed, including those that may have already been considered by the Examiner. Reference to "D1", "D2", and so forth in the PTO-FB-A820 corresponds to the reference designations used by Opponent 2 in the Prior Art List appended to its Opposition Statement.

It is requested that the references listed on the attached form PTO-FB-A820 be included in the "References Cited" portion of any patent issuing from this application (M.P.E.P. § 1302.12).

The Commissioner is hereby authorized to charge the sum of \$180.00 to Deposit Account No. 16-1445 to cover the cost of this submission in accordance with 37 CFR 1.97(c) and 1.17(p). The Commissioner is further authorized to charge any additional fees which may be required under 37 CFR 1.16 and 1.17, or credit any overpayment, to Account No. 16-1445.

A prompt and favorable response is earnestly solicited.

Respectfully submitted,

Date: MAY 5, 2008

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